

ENTERED

January 27, 2020

David J. Bradley, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

MALIBU MEDIA LLC,	§	CIVIL ACTION NO.
Plaintiff,	§	4:19-cv-02314
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
JEFFREY DUNCAN,	§	
Defendant.	§	

ORDER OF DISMISSAL WITHOUT PREJUDICE

Before the Court is a motion by Defendant Jeffrey Duncan to dismiss for failure to state a claim under Rule 12(b)(6) of the Federal Rules of Civil Procedure. Dkt 17. The Court heard oral argument during a status conference on December 11, 2019.

Upon consideration, the Court GRANTS the motion. A memorandum opinion will follow in due course to set out the Court's reasoning.

Duncan is DISMISSED WITHOUT PREJUDICE to the ability of Plaintiff Malibu Media LLC to replead its claim.

All further discovery is STAYED.

SO ORDERED.

Signed on January 27, 2020, at Houston, Texas.



Hon. Charles Eskridge
United States District Judge